Remarks/Arguments

This paper is filed in response to the Final Office Action mailed September 15, 2010. Claims 1-7 and 24-38 are pending. Reconsideration and reexamination are respectfully requested.

Rejection under 35 U.S.C. § 103

In paragraph 2 of the Final Office Action, claims 1, 2, 4-7 and 24-38 were rejected as being unpatentable over Pouchak (U.S. Patent No. 6,536,678) in view of Christiansen (U.S. Patent No. 5,452,687). After careful consideration, Applicants must respectfully disagree.

As a preliminary matter, Applicants note that none of claims 1, 24, 27, 28, 30, 32, and 34 are explicitly referred to in the discussion of the purported teachings of the cited references. Applicants' *ad hoc* presumption is that the Examiner asserts that all features of these claims are included in the discussion of the cited references that begins immediate after the statement of rejection on page 2 and continues up to the paragraph on page 3 beginning with "Regarding claim 2...".

Claim 1 recites:

> 1. (Previously Presented) A method of operating a multistage modulating boiler system, the multi-stage modulating boiler system including two or more stages of modulating boilers, the multi-stage modulating boiler system adapted to provide heat to a circulating fluid heated by the multi-stage modulating boiler system and to maintain a first temperature setpoint, the method comprising:
>
> receiving an indication that a stage of the multi-stage modulating boiler system should be activated and whether the stage is currently a first stage of the multi-stage modulating boiler to be activated;
>
> receiving a normal firing rate for the stage, the normal firing rate is based on an error signal that is related to a deviation between the first temperature set point and a temperature of the circulating fluid in the multi-stage modulating boiler system;
>
> activating the stage at the normal firing rate if the stage is not the first stage of the multi-stage boiler to be activated;
>
> activating the stage at a first firing rate if the stage is the first stage of the multi-stage boiler to be activated, wherein the first firing rate is less than the normal firing rate;
>
> maintaining the first firing rate for a period of time unless a predefined condition that is related to a system temperature occurs during the period of time; and

> activating the stage at the normal firing rate after the period of time expires.

Neither Pouchak nor Christiansen, taken alone or in combination, appears to teach, disclose or suggest many of the elements of claim 1. For example, neither Pouchak nor Christiansen appear to disclose the steps of "activating the stage at the normal firing rate *if the stage is not the first stage* of the multi-stage boiler to be activated", and "activating the stage at a first firing rate *if the stage is the first stage* of the multi-stage boiler to be activated...", particularly when taken in combination with the other elements of the claim. Notably, these elements do not appear to be addressed in the rejection of claim 1 in the Final Office Action.

Applicants noted this error in their response of June 18, 2010, to which the Examiner stated in the Response to Arguments section on page 5 of the Final Office Action:

> 4. Applicant argues that the prior art does not teach the limitation of activating one firing rate if the stage is the first stage and another firing rate if the stage is a later stage. In response to *applicant's arguments against the references individually*, one cannot show nonobviousness by attacking references individually where the *rejections are based on combinations of references*. See...

(Emphasis added.) This is not understood. With regard to the steps of claim 1 depending on "*if the stage is not the first stage*" and "*if the stage is the first stage*", Applicants have pointed out the clear error that these elements do not appear to have been addressed **at all** in the rejection of claim 1 in either the preceding Office Action, or in the present Final Office Action. Thus, at least with regard to these features, a 'rejection based on a combination' of references does not even appear to exist. Further, Applicants have pointed out that these features do not appear to be disclosed in either of the cited references. As such, it is not believed that Applicants' statement can be characterized fairly as "arguments against the references individually" when the Examiner does not appear to have set forth a cite or a theory of how these features are taught or suggested in view of the references. It is axiomatic that:

> **2143.03All Claim Limitations Must Be**>Considered< [R-6]**
> ** "All words in a claim must be considered in judging the patentability of that claim against the prior art." *In re Wilson*, 424 F.2d 1382, 1385, 165 USPQ 494, 496 (CCPA 1970). If an independent claim is nonobvious under 35 U.S.C. 103, then any claim depending therefrom is nonobvious. *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988).

(see, MPEP § 2143.03). Accordingly, given that the Examiner does not appear to have addressed all of the features described with all of the words of claim 1, Applicants reiterate that the rejection of claim 1 would appear to be in clear error, and should be withdrawn.

With regard to features of claim 1 relating to a "period of time," the Examiner stated in the Response to Arguments on page 5 of the Final Office Action:

> 6. Applicant also argued that the limitation of "during a period of time" was not explicitly addressed. In response, the examiner notes that given the teaching of activating a desired firing rate, *it is inherent that the firing rate will continue for a "period of time"*. The examiner notes that *the claims do not require the period of time to be defined in any manner*, or even to be predetermined; merely that the burners operate for a period of time.

(Emphasis added). Applicants submit that while it may be that none of the cited references teach firing a boiler for an unending, infinite time interval, the recitation of "period of time" in multiple places in the claim clearly give meaning to "period of time" beyond an arbitrary time interval. For example, Applicants submit that the clauses "unless a predefined condition... occurs during the period of time" and "activating... after the period of time expires" clearly convey the concept of a period of time of definite duration, as well as relate the "period of time" to other features/events recited in the claim. Accordingly, Applicants maintain their contention that the Examiner has failed to address the step of "activating the stage at the normal firing rate after the period of time expires", and the step of "maintaining the first firing rate for a period of time unless a predefined condition that is related to a system temperature occurs during the period of time". These appear to be features that are missing from Pouchak and Christiansen, and thus the rejection would appear to be made in clear error.

With respect to the predefined condition, the Examiner cites to the "emergency mode" 280 of Pouchak as being equivalent. Applicants reiterate that this appears to be insufficient to establish disclosure of the claimed feature. The "emergency mode" 280 of Pouchak is discussed at column 11, line 1 through column 12, line 3:

> Multiple boiler arbitration logic module 102a has a number of additional inputs including system factory test 264, system waterflow 266, manual 268, low gas pressure 270, pump status 272, freeze protection 274, disabled mode 278 and emergency mode 280. For simplicity, only representative inputs are shown. Arbitration logic module 102a responds through a network interface module (not shown) with arbitration encoded signal 282 which is received by network

> interface module 228 and provided to CCD 104. The functioning of CCD 104 in the multiple boiler implementation is as described under the HIP 100 description for the single boiler embodiment and includes the ability to display status information from a multiple boiler system as well as individual boilers within the multiple boiler system (emphasis added).

It is not seen how this passage can be seen to discloses that the "emergency mode 280" is somehow a predefined condition, and more specifically, a predefined condition that is related to a system temperature, and even more specifically, where Pouchak discloses "maintaining the first firing rate for a period of time unless a predefined condition that is related to a system temperature occurs during the period of time", as recited in claim 1.

With regard to this, the Examiner stated in the Response to Arguments section on page 6 of the Final Office Action:

> 7. Applicant also requested clarification as to how Pouchak changes operation due to predetermined conditions. Reviewing Figure 4, inputs of low gas pressure, water flow errors, etc. go to controller (102a), which provides instructions to either begin disabled mode (278) or emergency mode (280) when dangerous conditions occur to vary the stages (via 224). The examiner notes that Pouchak has a common inventor with the current invention.

Applicants' representative has reviewed Figure 4, and notes that Pouchak states in the discussion of Figure 4:

> Multiple boiler arbitration logic module 102a has a number of additional inputs including system factory test 264, system waterflow 266, manual 268, low gas pressure 270, pump status 272, freeze protection 274, disabled mode 278 and emergency mode 280.

(Column 11, lines 1-5.) Given that disabled mode 278 and emergency mode 280 are **inputs** to logic module 102a, as evidenced by the excerpt above and the arrowheads on the functional block diagram of Figure 4, it is not understood how the logic module 102a can be said to provide instructions to either begin disabled mode 278 or emergency mode 280, as advanced by the Examiner. In any event, Applicants maintain that the Examiner has not established that emergency mode 280 is equivalent to the recited "predetermined condition," and more specifically, "maintaining the first firing rate for a period of time unless a predefined condition that is related to a system temperature occurs during the period of time", as recited in claim 1.

The Examiner acknowledges that Pouchak does not disclose varying the firing rate so that the initial firing rate is lower than the normal firing rate. However, the Examiner states that:

> Christiansen discloses a boiler control system where the initial firing rate (FR) is set by the user (col. 4, lines 4-33), and the initial firing rate continues for a set time period (P91). After the set time period, the firing rate is at a new firing rate (FRold).

Applicants do not understand this assertion, as argued in their response of June 18, 2010, and reiterated here. The cited portion of Christiansen states:

> At startup, the various parameters are set at default settings. More particularly, the following parameters labeled P.sub.N for identification in the flow charts of FIGS. 3-3B are involved in the algorithm incorporated in the microprocessor-based sequencer that further protects the boiler's tubes from thermal shock: the Process Variable (PV), the current Process Variable value (PV.sub.NEW), the previous Process Variable value (PV.sub.OLD), the preferred set-point for the output level (P.sub.5), the adjusted set-point for the output level (P'.sub.5), the running time from the end of the preceding minimum response (P.sub..SIGMA.), the deadband constant (P.sub.13), the process variable minimum response time (P.sub.99), the process variable minimum response required (P.sub.95), the boiler response interval (P.sub.91), the firing rate (FR), the adjusted firing rate (FR.sub.NEW), the current firing rate (FR.sub.OLD), the decrease return factor (P.sub.79), the decrease span range (P.sub.87), the maximum increase/decrease factor (P.sub.111), the maximum process variable value (P.sub.11), the threshold minimum process variable value (P.sub.12), a forced low firing rate value (P.sub.103), a forced high firing rate value (P.sub.107), an increase return factor (P.sub.71), an increase span range (P.sub.83), the decrease leaving factor (P.sub.75), the increase leaving factor (P.sub.67), and an adjustable nudge factor (P.sub.115). The microprocessor based controller of the present invention has the capability to differentiate between a PV offset from the set-point associated with a true demand for accelerating the firing rate and an ordinary offset due to a mere change in the set-point or upon turning on of a boiler and can accomodate both.

(see, column 4, lines 4-33.) This passage of Christiansen is dominated by what appears to be a mere listing of parameters, with little to no explanation given as to the significance or meaning of most of the parameters. For example, the Examiner asserts that "P91" is a set time period for which an initial firing rate continues, but in the excerpt above, "P91" is only identified cryptically as "the boiler response interval." Seeking further insight, Applicants' representative searched Christiansen for other occurrences of "P91" that might elucidate its meaning, but found none in either the specification or drawings. Similarly, the phrase "boiler response interval"

appears in only one other place: the Summary of the Invention, where it is found unhelpfully amidst a laundry list of "programmable parameter values." Applicants submit that the cited portions of Christiansen cannot fairly be said to teach that "the initial firing rate continues for a set time period (P91)", as asserted by the Examiner.

Further in regard to this, the Examiner stated in the Response to Arguments section on page 6 of the Final Office Action:

> 8. Applicant also indicated having difficulty with the meaning of "boiler response interval". In response, the examiner suggests reading column 6, lines 1-17. This passage explains that this is a time period that elapses before the firing rate would be adjusted. This time period is so that the controller does not prematurely adjust the firing rate, leading to an overcorrection (see abstract).

For convenience, the column 6, lines 1-17 of Christiansen is reproduced here:

> whether the process variable is returning or leaving the preferred set-point (block 120). If the process variable is greater than the new set-point a further test is made to determine whether the minimum time for the process variable response has elapsed (see block 114). If the time has not elapsed, it is then determined whether the process variable is returning or leaving the preferred set-point (block 120). If the minimum response time has elapsed, it is then determined whether the process variable movement for the minimum response time is greater than the preset minimum response required for the process variable movement (see block 116). If the process variable is less than this minimum response, it activates the adjustable nudge factor. Block 118 shows the firing rate being adjusted by this preprogrammed nudge factor. It is then determined whether the process variable is leaving or returning to the preferred set-point (block 120). Had the test at decision block 116 revealed that the process variable movement was greater than the minimum required response, a further test would then have been made to determine whether the process variable was leaving or returning toward the set-point (block 120).

Applicants' representative is unable to comprehend how this passage elucidates the meaning of boiler response interval (P91), noting the "boiler response interval" does not appear in the cited portion, nor does "P91" appear to be found in Figure 3A (to which the cited portion refers), nor any other Figure of Christiansen. If the boiler response interval P91 continues to be relied-upon in rejection of Applicants' claims, Applicants respectfully request that the Examiner provide a more complete discussion of how the above-cited passage relates to the boiler response interval (P91), recited only at column 4, line 17 and column 2, line 59 of Christiansen.

The Examiner further states on page 3 of the Final Office Action that "Christiansen teaches increasing the firing rate after the initial rate is established", citing to column 4, lines 54-56, but in the Response to Arguments section on page 6 of the Final Office Action, appears to acknowledge the correctness of the reasoning advanced by Applicants in their response of June 18, 2010 that Christiansen appears to disclose a number of conditions to be considered that may lead to the firing rate being increased *or reduced*. The Examiner stated:

> 10. Applicant argues Christiansen teaches away from the claimed invention because both increasing or decreasing the later firing rate is taught. However, this is a *clear teaching* that the firing rate should be varied to suit the boiler conditions, and *that increasing or decreasing the firing rate is obvious* to obtain optimal burner performance.

(Emphasis added.) Applicants submit that Examiner appears to agree with Applicants that Christiansen does not teach "wherein the first firing rate is less than the normal firing rate" as recited by claim 1.

Claim 1 recites a specific method that includes a combination of specific method steps. Pouchak and Christiansen, taken alone or in combination, clearly do not teach, disclose or suggest the specific method recited in claim 1. For these and other reasons, claim 1 is believed to be clearly patentable over Pouchak in view of Christiansen. For similar and other reasons, claims 2 and 4-7, which depend from claim 1 and include significant additional distinguishing features, are also believed to be clearly patentable over Pouchak in view of Christiansen. Reconsideration and withdrawal of the rejection are respectfully requested.

Turning to claim 24, which recites:

> 24. (Previously Presented) A controller for a multi-stage modulating boiler system having one or more modulating boiler stages, the controller configured to perform the steps of:
>
> receiving an indication that a stage of the multi-stage modulating boiler system should be activated and whether the stage is currently a first stage of the multi-stage modulating boiler to be activated;
>
> receiving a normal firing rate for the stage, the normal firing rate is based, at least in part, on a heat load on the multi-stage modulating boiler system;
>
> activating the stage at the normal firing rate if the stage is not the first stage of the multi-stage boiler to be activated;
>
> activating the stage at a first firing rate if the stage is the first stage of the multi-stage modulating boiler to be activated, wherein the first firing rate is less than the normal firing rate;

maintaining the first firing rate for a period of time unless a predefined condition that is related to a system temperature occurs during the period of time; and

activating the stage at the normal firing rate after the period of time expires.

For reasons similar to those detailed above in relation to claim 1, Applicants respectfully submit that Pouchak and Christiansen, taken alone or in combination, do not teach a controller configured to perform the specific steps recited in claim 24. For example, the cited references do not appear to teach or suggest "activating the stage at the normal firing rate *if the stage is not the first stage* of the multi-stage boiler to be activated;" particularly in combination with "activating the stage at a first firing rate *if the stage is the first stage* of the multi-stage modulating boiler to be activated, wherein the first firing rate is less than the normal firing rate". For these and other reasons, claim 24 is believed to be clearly patentable over Pouchak in view of Christiansen. For similar and other reasons, claims 25 and 26, which depend from claim 24 and add significant additional distinguishing features, are also believed to be clearly patentable over Pouchak in view of Christiansen. Reconsideration and withdrawal of the rejection are respectfully requested.

Turning to claim 27, which recites:

27. (Previously Presented) A method of controlling stages in a multi-stage modulating boiler system, the method comprising:

receiving an indication that a stage of the multi-stage modulating boiler system that is not active is to become active;

determining whether the stage is the first stage to become active;

if the stage is the first stage to become active, activating the stage at a first firing rate and maintaining the first firing rate for a period of time unless a predefined condition that is related to a measured system temperature occurs during the period of time; and

activating the stage at second firing rate if the stage is not the first stage to become active.

For reasons similar to those discussed above in relation to claim 1, Applicants respectfully submit that Pouchak and Christiansen, taken alone or in combination, do not teach a method including the specific steps recited in claim 27. For example, the cited references do not appear to teach or suggest "*if the stage is the first stage* to become active, activating the stage at a first firing rate and *maintaining the first firing rate for a period of time unless a predefined condition that is related to a measured system temperature occurs during the period of time*;" particularly

in combination with "activating the stage at second firing rate *if the stage is not the first stage* to become active." For these and other reasons, claim 27 is believed to be clearly patentable over Pouchak in view of Christiansen. Reconsideration and withdrawal of the rejection are respectfully requested.

Turning to claim 28, which recites:

> 28. (Previously Presented) A controller for controlling a stage in a multi-stage modulating boiler system, the controller configured to perform the steps of:
>
> receiving an indication that a stage of the multi-stage modulating boiler system that is not active is to become active;
>
> determining whether the stage is the first stage to become active;
>
> if the stage is the first stage to become active, activating the stage at a first firing rate and maintaining the first firing rate for a period of time unless a predefined condition that is related to a measured system temperature occurs during the period of time; and
>
> activating the stage at second firing rate that is higher than the first firing rate if the stage is not the first stage to become active.

For reasons similar to those detailed above in relation to claim 1, Applicants respectfully submit that Pouchak and Christiansen, taken alone or in combination, do not teach a controller configured to perform the specific steps recited in claim 28. For example, the cited references do not appear to teach or suggest "*if the stage is the first stage* to become active, activating the stage at a first firing rate and maintaining the first firing rate for a period of time unless a predefined condition that is related to a measured system temperature occurs during the period of time", particularly in combination with "activating the stage at second firing rate that is higher than the first firing rate *if the stage is not the first stage* to become active". For these and other reasons, claim 28 is believed to be clearly patentable over Pouchak in view of Christiansen. Reconsideration and withdrawal of the rejection are respectfully requested.

Turning to claim 29, which recites:

> 29. (Previously Presented) A method of controlling a multi-stage modulating boiler system, the multi-stage modulating boiler system adapted to meet a heat load, the method comprising:
>
> determining whether to activate a stage of the multi-stage modulating boiler system when no stages are active; and, if so:
>
> activating a stage; and

controlling the stage with a stable firing rate independent of heat load for a period of time unless one or more of a number of conditions is satisfied during the period of time, wherein one of the predefined conditions is related to a measured system temperature and another one of the conditions include whether the stage is no longer needed.

For reasons similar to those discussed above in relation to claim 1, Applicants respectfully submit that Pouchak and Christiansen, taken alone or in combination, do not teach a method including the specific steps recited in claim 29. For example, the cited references do not appear to teach or suggest "controlling the stage with a stable firing rate independent of heat load for a period of time unless one or more of a number of conditions is satisfied during the period of time, wherein one of the predefined conditions is related to a measured system temperature and another one of the conditions include whether the stage is no longer needed." For these and other reasons, claim 29 is believed to be clearly patentable over Pouchak in view of Christiansen. For similar and other reasons, claim 30, which depends from claim 29 and adds significant additional distinguishing features, is also believed to be clearly patentable over Pouchak in view of Christiansen. Reconsideration and withdrawal of the rejection are respectfully requested.

Turning now to claim 31, which recites:

31. (Previously Presented) A controller for controlling a multi-stage modulating boiler system, the controller configured to perform the steps of:
determining whether to activate a stage of the multi-stage modulating boiler system when no stages are currently active; and, if so:
activating a stage; and
controlling the stage with a stable firing rate independent of heat load for a period of time unless at least one of a number of conditions is satisfied during the period of time, wherein the conditions include:
whether the stage is no longer needed.

For reasons similar to those discussed above in relation to claim 1, Applicants respectfully submit that Pouchak and Christiansen, taken alone or in combination, do not teach a controller configured to perform the steps recited in claim 31. For example, the cited references do not appear to teach or suggest "controlling the stage with a stable firing rate independent of heat load for a period of time unless at least one of a number of conditions is satisfied during the period of time, wherein the conditions include: whether the stage is no longer needed." For these and other

reasons, claim 31 is believed to be clearly patentable over Pouchak in view of Christiansen. Reconsideration and withdrawal of the rejection are respectfully requested.

Turning to claim 32, which recites:

> 32. (Previously Presented) A system controller for a multi-stage modulating boiler system, the system controller having at least a first configuration and a second configuration, wherein:
> the first configuration of the system controller enables the system controller to perform the steps of:
> determining that a stage of the multi-stage modulating boiler system that is inactive should become active;
> signaling the stage to become active; and
> indicating to the stage whether or not it is the first stage to become active; and
> the second configuration of the system controller enables the system controller to perform the steps of:
> determining that a stage of the multi-stage modulating boiler system that is inactive should become active;
> signaling the stage to become active;
> determining whether the stage is the first stage to become active and, if so, providing a heat demand signal to the stage at a level selected to keep the first stage at a relatively low output level for a period of time unless one of a number of conditions is met during the period of time.

For reasons similar to those detailed above in relation to claim 1, Applicants respectfully submit that Pouchak and Christiansen, taken alone or in combination, do not teach a controller configured as in claim 32. For example, the cited references do not appear to teach or suggest a controller "having at least a first configuration and a second configuration", wherein in the first configuration, "the system controller enables the system controller to perform the steps" including "indicating to the stage whether or not it is the first stage to become active" and wherein in the second configuration, "the system controller enables the system controller to perform the steps" including "determining whether the stage is the first stage to become active and, if so, providing a heat demand signal to the stage at a level selected to keep the first stage at a relatively low output level for a period of time unless one of a number of conditions is met during the period of time." For these and other reasons, claim 32 is believed to be clearly patentable over Pouchak in view of Christiansen. For similar and other reasons, claim 33, which depends from claim 32 and adds significant additional distinguishing features, is also believed to

be clearly patentable over Pouchak in view of Christiansen. Reconsideration and withdrawal of the rejection are respectfully requested.

Turning to claim 34, which recites:

> 34. (Previously Presented) A stage controller for controlling a stage of a multi-stage modulating boiler system, the stage controller communicating with a boiler system controller, the stage controller performing the steps of:
>
> in response to the system controller signaling that the stage is to become active, activating the stage; and
>
> in response to the system controller indicating that the stage is the first stage to become active, activating the stage at a first firing rate and maintaining the first firing rate for a period of time unless a predefined condition occurs during the period of time.

For reasons similar to those discussed above in relation to claim 1, Applicants respectfully submit that Pouchak and Christiansen, taken alone or in combination, do not teach a stage controller configured to perform the specific steps recited in claim 34. For example, the cited references do not appear to teach or suggest "in response to the system controller indicating that the stage is the first stage to become active, activating the stage at a first firing rate and maintaining the first firing rate for a period of time unless a predefined condition occurs during the period of time." For these and other reasons, claim 34 is believed to be clearly patentable over Pouchak in view of Christiansen. For similar and other reasons, claim 35, which depends from claim 34 and adds significant additional distinguishing features, is also believed to be clearly patentable over Pouchak in view of Christiansen. Reconsideration and withdrawal of the rejection are respectfully requested.

Turning to claim 36, which recites:

> 36. (Previously Presented) A method of operating a multi-stage modulating boiler system, the multi-stage modulating boiler system adapted to provide heat to maintain a first setpoint for a fluid heated by the multi-stage modulating boiler system, the method comprising:
>
> receiving a signal indicating that a stage of the multi-stage modulating boiler system should be activated;
>
> activating the stage at a first firing rate; and
>
> maintaining the first firing rate unless one or more predefined conditions occur, wherein one or more of the predefined conditions is related to a system temperature.

For reasons similar to those discussed above in relation to claim 1, Applicants respectfully submit that Pouchak and Christiansen, taken alone or in combination, do not appear to teach a method including the specific steps recited in claim 36. For example, the cited references do not appear to teach or suggest "maintaining the first firing rate unless one or more predefined conditions occur, wherein one or more of the predefined conditions is related to a system temperature." For these and other reasons, claim 36 is believed to be clearly patentable over Pouchak in view of Christiansen. For similar and other reasons, claims 37 and 38, which depend from claim 36 and add significant additional distinguishing features, are also believed to be clearly patentable over Pouchak in view of Christiansen. Reconsideration and withdrawal of the rejection are respectfully requested.

On page 4 of the Final Office Action, claim 3 is rejected as being unpatentable over Pouchak in view of Christiansen, and further in view of Fukayama et al. (U.S. Patent No. 4,841,918). As detailed above, claim 1, from which claim 3 depends, is clearly patentable over Pouchak in view of Christiansen. Fukayama does not appear to remedy the noted deficiencies of Pouchak and Christiansen. Thus, claim 1 is believed to be clearly patentable over all three references. For these and other reasons, claim 3, which depends from claim 1 and adds significant additional distinguishing features, is believed to be clearly patentable over Pouchak in view of Christiansen, and further in view of Fukayama et al. Reconsideration and withdrawal of the rejection are respectfully requested.

Conclusion

Reconsideration and reexamination are respectfully requested. It is believed that all pending claims 1-7 and 24-38 are in condition for allowance. If a telephone conference would be of assistance, the Examiner is encouraged to contact the undersigned attorney at 612-359-9348.

Respectfully Submitted,

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